

Message Text

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ACTION IO-14

INFO OCT-01 AF-10 ARA-10 EA-10 EUR-12 NEA-10 ISO-00
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02
TRSE-00 OIC-02 MCT-01 CU-04 SCA-01 /123 W
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R 221733Z AUG 77
FM USMISSION GENEVA
TO SECSTATE WASHDC 509
INFO AMEMBASSY BUENOS AIRES
USMISSION USUN NEW YORK
AMEMBASSY MONROVIA

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E.O. 11652: NA
TAGS: SHUM
SUBJ: SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND
PROTECTION OF MINORITIES, AUGUST 18 (P.M.) - AGENDA ITEM
10: QUESTION OF HUMAN RIGHTS VIOLATIONS

1. IN REPLY TO ICJ REPORT MADE DURING A.M. MEETING AMB.
GABRIEL MARTINEZ (ARGENTINA) SAID NO SECRET POLICE EXISTED
IN HIS COUNTRY; IT ONLY HAD A POLICE AND SECURITY FORCE.
TERRORIST OR SUBVERSIVE ACTIVITIES COULD BE THE REASON FOR
DETAINMENT IN ARGENTINA, BUT NOT POLITICAL IDEOLOGY.
MARTINEZ CITED AN AGREEMENT WITH THE INTERNATIONAL
COMMITTEE OF THE RED CROSS (ICRC) PERMITTING DOCTORS AND
OTHER MEMBERS OF THE ORGANIZATION REGULAR VISITS TO
ARGENTINE PRISONS TO VIEW CONDITIONS OF BOTH TERRORISTS
AND COMMON CRIMINALS. ACCORDING TO MARTINEZ THE ICRC
REPORT WILL SOON BE BROUGHT TO THE ATTENTION OF GOVERNMENTS.
THE OBSERVER EXPRESSED THE HOPE THAT ARGENTINA' REPORT TO
THE HCR WOULD BE MADE AVAILABLE TO THE S-C.

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2. IN A LENGTHY PASSIONATE INTERVENTION SCHREIBER (BELGIUM)
SPOKE OF THE SOCIAL AND ECONOMIC BREACHES OF HUMAN RIGHTS AS
WELL AS THE CIVIL AND POLITICAL VIOLATIONS AND RECOMMENDED
THAT CONSIDERATION BE GIVEN TO ALL ASPECTS OF HUMAN RIGHTS.
CONTINUING, HE EXPRESSED SORROW ABOUT WHAT HE READ AND HEARD
WAS HAPPENING IN LATIN AMERICA. HE SAID GOVERNMENTS MUST BE
RESPONSIBLE AND SHOULD INSURE THAT PERSONS DO NOT DISAPPEAR.

HE SPOKE OF THE PHILIPPINES AS THE COUNTRY THAT HAD GIVEN INCENTIVES FOR THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION BUT HAD NOT RATIFIED THE INTERNATIONAL COVENANT ON POLITICAL AND CIVIL RIGHTS, ONLY THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS. CZECHOSLOVAKIA HAD RATIFIED BOTH BUT AUTHORS OF DOCUMENTS STATING THAT NECESSARY STEPS BE TAKEN UNDER THESE COVENANTS HAVE BEEN PERSECUTED. SCHREIBER FELT A REP OF CZECHOSLOVAKIA SHOULD BE AT THE S-C TO ANSWER WHY NATIONAL AND INTERNATIONAL HR STANDARDS SHOULD NOT BE COMPARED. HE EXPRESSED VIEW THAT S-C MUST BE CONSISTENT IN CITING CASES OF HR VIOLATIONS. SINCE VIOLENCE IS SPREADING, QUESTION MUST BE ASKED WHY AND HOW CAN IT BE CHECKED. HE CALLED FOR COOPERATION BETWEEN THE BIG POWERS TO CHECK HR VIOLATIONS. SCHREIBER CONCLUDED BY NOTING THAT GREECE, SPAIN, AND PORTUGAL HAD RETURNED TO DEMOCRACY AFTER YEARS OF REPRESSIVE REGIMES.

3. MASIL YUSSEF (IRAQ), REPLYING TO THE ANTI-SLAVERY SOCIETY, SAID THE ORGANIZATION WAS ONLY COMPETENT TO DEAL WITH MATTERS OF SLAVERY. THE KURDS ARE NOT SLAVES; THEY ARE IRAQI CITIZENS. THEY WERE PROTECTED BY LAW AND WERE MASTERS OF THEIR OWN DESTINY. HE SAID THE INTERNATIONAL FEDERATION OF HUMAN RIGHTS HAD VISITED KURDISTAN AND LATER INFORMED SYG WALDHEIM THAT THE POLITICAL SITUATION SEEMED NORMAL. YUSSEF ASKED THAT THE FEDERATION'S LETTER BE DISTRIBUTED TO MEMBERS OF THE S-C AT UN COST.

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4. BRAZIL OBSERVER ITALO MASTROGIOVANNI IN RIGHT OF REPLY TO ICJ SAID HIS COUNTRY WAS FULLY COMMITTED TO THE CAUSE OF HUMAN RIGHTS. THE INTERNATIONAL COMMUNITY HAD RECOGNIZED THE STRONG HR POSTURE OF BRAZIL WHEN THE STATE WAS ELECTED, BY A LARGE MAJORITY, TO THE HRC.

5. HANS-JURGEN MICHEEL (GDR), OBSERVER, REFUTED WHITAKER'S (UK) STATEMENTS AND NOTED THAT SUCH REMARKS WERE NOT IN THE SPIRIT OF DETENTE. HE REMINDED THE S-C THAT SUCH STATEMENTS, UNDER THE PRETEXT OF DEFENDING HUMAN RIGHTS, HAD LED TO WW II.

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6. MME QUESTRAUX (FRANCE) STATED THAT S-C WAS AWARE THAT HR VIOLATIONS EXISTED. WHEN S-C READS THAT DINA HAS BEEN DISMANTLED THE FACT IS ESTABLISHED THAT IT EXISTED. SHE NOTED THAT THE S-C IS DISCUSSING THE SAME VIOLATIONS THAT WERE CONSIDERED IN 1976. SHE EXPRESSED VIEW THAT IMPLEMENTATION OF RES 1503 WOULD BE PROPER METHOD OF HANDLING THESE SITUATIONS, HOWEVER, SINCE THIS TOOL HAS NOT BEEN USED DIALOGUE MUST CONTINUE WITH CHILE AND ARGENTINA. SHE RECOMMENDED THAT THE S-C TAKE SOME ACTION (PERHAPS STUDIES) ON THE NEW TECHNIQUES OF TORTURE. SINCE THE HRC FAILED TO CONSIDER THIS ISSUE IT WAS UP TO THE S-C TO DO SOMETHING. MME QUESTRAUX ALSO RECOMMENDED THAT THE S-C EXPLORE WHAT ASSISTANCE COULD BE GIVEN TO VICTIMS OF TORTURE AND TO DETAINEES.

7. CRISTESCU (ROMANIA) SUPPORTED MARTINEZ COBO REGARDING ROLE OF NGO STATING THAT THE INFORMATION OF INDIVIDUALS COULD NOT BE THE BASIS ON WHICH THE S-C MADE JUDGEMENTS AGAINST GOVERNMENTS.

8. AMBASSADOR CARTER (U.S.), NOTING THAT NGO AND OBSERVER LIMITED OFFICIAL USE

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INTERVENTIONS WERE SINCERE, VOICED CONCERN THAT AN UNDERTONE OF NEGATIVE FEELING EXISTED TOWARD NGO'S WHICH, HE SAID, WAS DIFFICULT TO UNDERSTAND. HE SAID MEMBER STATES HAD NOTHING TO FEAR. THE NGO'S COMPOSE A SEGMENT OF SOCIETY THAT CARES (ABOUT HUMAN RIGHTS) AND CONVEYS INFORMATION AND GIVES HOPE. HE CONTENDED THAT THE S-C MUST HAVE THIS CHANNEL BECAUSE IT AND NGO'S ARE IN PURSUIT OF FREEDOM. FURTHERMORE, HE ADDED THAT NGOS ARE NO THREAT TO OPEN SOCIETIES. THEREFORE, GOVERNMENTS SHOULD BE TOLERANT OF THESE GROUPS. GOVERNMENTS, HE COMMENTED, HAVE THE LAST WORD IN DEFENDING THEM-

SELVES. HE APPEALED TO MEMBERS THAT THEY NOT PERMIT THE S-C TO BECOME A CLOSED FORUM LIKE THE HRC WHERE NOTHING HAPPENS.

9. SMIRNOV (USSR) REPLIED THAT THE S-C HAD TO FOLLOW INSTRUCTIONS GIVEN BY ITS PARENT BODIES -- THE HRC AND ECOSOC -- AND ABIDE BY RESOLUTION 1503 AND THE UN CHARTER. THE PRESTIGE OF THE S-C DEPENDED UPON ITS REMAINING WITHIN THE MANDATE GIVEN IN RES. 1503. HE EXPRESSED OPINION THAT S-C WOULD COMMIT A GRAVE ERROR IF IT BECAME A BODY WHICH SUPPORTED UNFOUNDED ACCUSATIONS RATHER THAN A BODY WHICH STUDIED SERIOUS PROBLEMS ON A GENERAL BASIS.

10. IN RESPONSE TO A QUESTION RAISED BY WHITAKER (UK) CONCERNING UGANDA, VAN BOVEN INFORMED THE S-C THAT THE SYG HAD DESIGNATED ADDULRAHIM ABBY FARAH TO VISIT UGANDA LAST APRIL. THE SYG IS PURSUING WITH UGANDAN AUTHORITIES THE MODALITIES OF THIS POSSIBLE VISIT. VANDEN HEUVEL

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